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| 09/820,699      | 03/30/2001  | Hiroshi Akada        | 35.C15243           | 8784             |

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EXAMINER

NGUYEN, MICHELLE P

ART UNIT PAPER NUMBER

2851

DATE MAILED: 04/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/820,699

Applicant(s)

AKADA, HIROSHI

Examiner

Michelle Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 08 July 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 5 recites the limitation "wherein first and second support portions provide an opening portion in the outer side thereof, and said case member is mountable on said opening portion for covering said opening portion" in lines 4-6. Here it is understood that the two support portions collectively provide one opening portion, which is covered by a single case member. However, in accordance with applicant's disclosure, each of the first and second support portions (camera supporting portions 12a-2 and 12a-1, respectively) provides an opening portion (aperture portions 12a-2-a and 12a-1-a, respectively) in the outer side thereof (see Fig. 1). Further, it is understood from applicant's disclosure that two case members (cover members 40 and 19) cover the opening portions 12a-2-a and 12a-1-a, respectively (see page 15, lines 19-27, page 19, lines 13-20, Fig. 1). The claim language seems to be in contradiction with the subject matter discussed, thereby rendering the claim vague and indefinite.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,598,207 to Kormos et al.

With regard to claim 1, Kormos et al. disclose a movable camera apparatus comprising:

a camera unit (night vision system 1) (see Fig. 1);

a pan head comprising a movable portion (tilt gimbal 502) and a fixed portion (pan housing 538) (Fig. 1);

first and second support portions (portions of the tilt gimbal housing 510 to the right and left of the night vision system 1, respectively) provided on said movable portion of said pan head, that tilt rotatably support said camera unit at opposing sides of said camera unit (see Fig. 1);

a first circuit board, disposed in said camera unit, that outputs an image signal from said camera unit (see Col. 3, lines 29-33, Fig. 1; Although a circuit board is not taught explicitly, the communication of video signals from the night vision system inherently requires a circuit board to be disposed in the night vision system. Further, the wires running through the night vision system as shown in Fig. 1 indicate the presence of electrical components in the night vision system. It is well known to mount electrical components onto a circuit board.);

a second circuit board (printed wiring board module 552), disposed in said fixed portion of said pan head, for receiving an image signal (see Col. 4, lines 5-6, 45-9, Figs. 1, 4);

a drive unit (tilt drive assembly 520), disposed in said first support portion, that drives said camera unit in a tilt rotation direction (see Fig. 1); and

a connecting member (wires), disposed in said second support portion, that electrically connects said first and second circuit boards together, and transmits an image signal from said first circuit board to said second circuit board (see Col. 2, lines 62-5, Col. 4, lines 5-6, 45-9, Figs. 1, 4).

With regard to claim 5 as best understood, Kormos et al. teach the movable camera apparatus as discussed above with respect to claim 1 to further comprise:

a case member (covers 532, 519),

wherein said first and second support portions provide an opening portion (not numbered) in the outer side thereof, and said case member is mountable on said opening portion for covering said opening portion (see Col. 2, lines 65-6, Col. 3, lines 25-6, Fig. 1).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,598,207 to Kormos et al.

Kormos et al. teach a first circuit board to be disposed in the camera unit as discussed above with respect to claim 1, yet do not teach explicitly the position of the first circuit board within the camera unit. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to position the circuit board of Kormos et al. such that a camera unit having dimensions most desirable may be employed. For example, it would have been obvious to one having ordinary skill in the art at the time the invention was made to position the circuit board such that it is disposed in the second support portion side (left side) of the camera unit for minimizing the height of the camera unit. It would have also been obvious to one having ordinary skill in the art at the time the invention was made to position the circuit board such that it is disposed on the upper side or the lower side of a lens unit (see Col. 1, lines 10-15) in the camera unit for minimizing the width of the camera unit.

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kormos et al. as applied to claim 1 above, and further in view of U.S. Patent No. 5,223,872 to Stiepel et al.

Kormos et al. do not teach the connecting member as discussed above with respect to claim 1 to be a flexible flat cable. Instead, Kormos et al. teach the connecting member to be a feed of wires (see Col. 2, lines 62-5). However, Stiepel et al. teach a connecting member (ribbon cable 35) for electrically connecting first and second circuit boards together to be a flexible flat cable (see Col. 7, lines 16-23, 33-9, Fig. 4). Here,

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Stiepel et al. further teach the flexibility of the connecting member to allow for winding of the connecting member, which, in turn, allows for the prevention of damage to the connecting member, as well as prevention of entanglement of the connecting member with other components throughout the movable camera apparatus. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to replace the feed of wires of Kormos et al. with the ribbon cable of Stiepel et al. for preventing damage to and entanglement of the connecting member.

### ***Conclusion***

8. The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

U.S. Patent No. 6,147,701 to Tamura et al. teaches a drive unit and a connecting member disposed in a support portion that tilt rotatably supports a camera unit on a pan head.

U.S. Patent No. 5,729,016 to Klapper et al. teaches a drive unit disposed in a support portion that tilt rotatably supports a camera unit on a pan head, and a connecting member disposed in a second support portion that tilt rotatably supports the camera unit on the pan head.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michelle Nguyen whose telephone number is 703-305-2771. The examiner can normally be reached on M-F 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russ Adams can be reached at 703-308-2847. The fax phone numbers for

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the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4900.

mpn  
April 7, 2003



RUSSELL ADAMS  
SUPERVISORY PATENT EXAMINER  
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